

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE:

CASE NO. 15-10465-TMD

RAMON VARELA BECERRA

DEBTOR

CHAPTER 13

**TRUSTEE'S OBJECTION TO PROOF OF CLAIM OF
SUNBELT ESTATES LLC (PACER CLAIM NO. 3) AND
REQUEST FOR HEARING**

TO THE HONORABLE TONY M. DAVIS, UNITED STATES BANKRUPTCY JUDGE:

Comes now Deborah B. Langehennig, Chapter 13 Trustee (hereinafter "Trustee") in the above-captioned and numbered bankruptcy proceeding, and files this *Objection to Proof of Claim of SUNBELT ESTATES LLC*, and in support thereof would respectfully show the Court as follows:

I.

Creditor SUNBELT ESTATES LLC filed a *Proof of Claim* (hereinafter, "claim," Court Claim #3) in this case on or about June 11, 2015.

II.

The Trustee objects to the claim on the basis that the creditor has failed to attach an Exhibit E Proof of Claim Addendum for Residential Home Mortgages Paid Through the Chapter 13 Trustee, pursuant to the Standing Order Relating to Ongoing Mortgage Payments in Chapter 13 Cases in the Austin Division.

PRAYER

WHEREFORE, Deborah B. Langehennig, Chapter 13 Trustee, prays for an Order granting the *Objection to Proof of Claim of SUNBELT ESTATES LLC*, that the creditor be allowed twenty-one (21) days to amend its Proof of Claim and provide required documentation, that should SUNBELT ESTATES LLC fail to amend its Proof of Claim and provide required documentation within twenty-one (21) days of the entry of the Order, the claim of creditor be disallowed, that any additional fees or costs incurred by SUNBELT ESTATES LLC in connection with the Objection is the sole responsibility of, and shall be borne solely by, SUNBELT ESTATES LLC, and shall not be charged or deferred to the Debtor in any manner, and that the Court grant the Chapter 13 Trustee such other, additional and further relief to which she may be justly entitled.

Respectfully Submitted,

/s/ Deborah B. Langehennig

Deborah B. Langehennig

3801 S Capital Of Texas Hwy

Suite 320

Austin, TX 78704-6640

(512) 912-0305

*Proposed order attached as exhibit

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS AUSTIN DIVISION**

IN RE:

CASE NO. 15-10465-TMD

RAMON VARELA BECERRA

DEBTOR

CHAPTER 13

CERTIFICATE OF SERVICE

I, Deborah B. Langehennig, certify that a true and correct copy of the Chapter 13 Trustee's Objection to Proof of Claim has been mailed by US Mail to the Debtor, Debtor's Attorney of Record, and all creditors at the addresses listed below on June 12, 2015.

RAMON VARELA BECERRA
PO BOX 455
ELGIN, TX 78621

DOUGLAS J POWELL
820 W 10TH ST
AUSTIN, TX 78701
(SERVED ELECTRONICALLY)

CRAIN CATON & JAMES PC
1401 MCKINNEY ST, 17TH FLR
FIVE HOUSTON CENTER
HOUSTON, TX 77010-4035

CRAIN CATON & JAMES PC
1401 MCKINNEY ST, 17TH FLR
FIVE HOUSTON CENTER
HOUSTON, TX 77010-4035

SUNBELT ESTATES LLC
1718 STATE ST
HOUSTON, TX 77007

SUNBELT ESTATES LLC
% MICHELLE V FRIERY
CRAIN CATON & JAMES PC
1401 MCKINNEY, STE 1700
HOUSTON, TX 77010

SUNBELT ESTATES LLC
PO BOX 4346, DEPT 880
HOUSTON, TX 77210-4346

U.S. TRUSTEE (SERVED ELECTRONICALLY)
903 SAN JACINTO, SUITE 230
AUSTIN, TX 78701

Respectfully submitted,

/s/ Deborah B. Langehennig

Deborah B. Langehennig
3801 S Capital Of Texas Hwy
Suite 320
Austin, TX 78704-6640
(512) 912-0305

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE:

CASE NO. 15-10465-TMD

RAMON VARELA BECERRA

DEBTOR

CHAPTER 13

ORDER SUSTAINING TRUSTEE'S OBJECTION TO
PROOF OF CLAIM OF SUNBELT ESTATES LLC (PACER
CLAIM NO. 3)

Came on to be considered by the Court in the above-captioned and numbered bankruptcy proceeding the Chapter 13 Trustee's *Objection to Proof of Claim of SUNBELT ESTATES LLC*. The Court, having considered the the merits of the *Objection*, is of the opinion that such *Objection* should be SUSTAINED.

IT IS, THEREFORE, ORDERED that SUNBELT ESTATES LLC is hereby granted twenty-one (21) days from the date of the entry of this *Order* to amend its *Proof of Claim* and provide required documentation.

IT IS, FURTHER, ORDERED that if no *Amended Proof of Claim* with required documentation is filed by SUNBELT ESTATES LLC within twenty-one (21) days from the entry of this *Order*, the claim of SUNBELT ESTATES LLC shall be disallowed and shall receive no disbursements from the Trustee.

IT IS FURTHER, ORDERED that any additional fees or costs incurred by SUNBELT ESTATES LLC in connection with the *Objection* is the sole responsibility of, and shall be borne solely by, SUNBELT ESTATES LLC, and shall not be charged or deferred to the Debtor herein in any manner.

IT IS FURTHER, ORDERED that a copy of this order will be served by the clerk's office upon the claimant, SUNBELT ESTATES LLC, % MICHELLE V FRIERY, CRAIN CATON & JAMES PC, 1401 MCKINNEY, STE 1700, HOUSTON, TX 77010.

###

Prepared by:

Deborah B. Langehennig
3801 S Capital Of Texas Hwy
Suite 320
Austin, TX 78704-6640
(512) 912-0305